

REMARKS

In the Office Action,¹ the Examiner rejected claims 2-5, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,379,548² to Revital et al. ("*Revital*") in view of U.S. Publication No. 2002/0001386 to Akiyama ("*Akiyama*").

Applicants respectfully traverse the rejection.

Independent claim 2 recites an information processing apparatus wherein "the sublicense acquisition means acquires, along with a first content and before acquiring a second content, a first sublicense corresponding to the first content and a second sublicense corresponding to the second content distributed subsequent to the first content."

According to claim 2, rather than just acquiring only the first sublicense along with the first content and acquiring the second sublicense along with the second content, both the first sublicense and the second sublicense are acquired together along with the first content, and the second sublicense is acquired before the second content is distributed.

Revital discloses that "the protected content is . . . transmitted . . . with the ECM" because "the requirements of standards such as MPEG . . . protocols . . . require the ECM to be sent with the content itself." *Revital*, col. 13, ll. 39-45. Therefore, *Revital* discloses, for example, that a first ECM corresponding to a first content is sent along

¹ The Office Action may contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

² Although the Office Action cites U.S. Patent No. 7,739,548, the Examiner informed Applicants' representative via telephone on April 29, 2009, that the Examiner should have cited U.S. Patent No. 7,379,548.

with the first content and that a second ECM corresponding to a second content is sent along with the second content. However, *Revital* fails to teach or suggest sending the second ECM along with the first ECM and the first content before sending the second content. Therefore, *Revital* fails to teach or suggest "the sublicense acquisition means acquires, along with a first content and before acquiring a second content, a first sublicense corresponding to the first content and a second sublicense corresponding to the second content distributed subsequent to the first content," as recited in claim 2.

Akiyama discloses "receiving broadcasted key information . . . required to decrypt the contents information." *Akiyama*, abstract. However, *Akiyama* fails to teach or suggest receiving first key information and second key information along with first contents information before second contents information is broadcasted. Therefore, *Akiyama* fails to teach or suggest "the sublicense acquisition means acquires, along with a first content and before acquiring a second content, a first sublicense corresponding to the first content and a second sublicense corresponding to the second content distributed subsequent to the first content," as recited in claim 2. *Akiyama* thus fails to cure the deficiencies of *Revital*.

For at least the foregoing reasons, a *prima facie* case of obviousness has not been established with respect to claim 2. Independent claims 7 and 8, although different in scope from claim 2, are allowable for at least the same reasons as claim 2. Dependent claims 3-5 are allowable at least due to their dependence from allowable independent claim 2. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 2-5, 7, and 8 under 35 U.S.C. § 103(a).

In view of the foregoing, Applicants respectfully request reconsideration of this application and timely allowance of the pending claims.

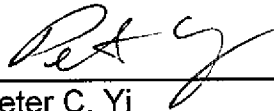
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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